

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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M&T BANK, et al.,

Case No. 2:17-CV-1867 JCM (CWH)

Plaintiff(s),

ORDER

V.

SFR INVESTMENTS POOL 1, LLC, et al.,

Defendant(s).

Presently before the court are defendant SFR Investments Pool 1, LLC's motions for demand for security of costs. (ECF Nos. 6, 7). Defendant asks that plaintiffs M&T Bank and Federal Home Loan Mortgage Corporation each file security of costs in the amount of \$500.00 in favor of the defendant pursuant to NRS 18.130(1) because plaintiff is a non-resident of Nevada.

The Ninth Circuit recognizes that “federal district courts have inherent power to require plaintiffs to post security for costs.” *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). A federal district court typically follows the forum state’s practice regarding security of costs, particularly when a party is a non-resident. *See, e.g.*, 10 Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 2671 (3d ed. 1998). Section 18.130 of the Nevada Revised Statutes provides that the court may require an out-of-state plaintiff to post a security for costs in an amount up to \$500.00 upon request by a defendant. Nev. Rev. Stat. § 18.130.

This court finds it appropriate to order security of costs in this matter.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motions for demand for security of costs (ECF Nos. 6, 7) be, and the same hereby are, GRANTED.

1 IT IS FURTHER ORDERED that plaintiffs shall each post security in the amount of
2 \$500.00 within seven (7) days of the entry of this order.

3 DATED August 7, 2017.

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10 UNITED STATES DISTRICT JUDGE